

SENATE BILL 2854

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 5, relative to the practice of dentistry.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-5-108, is amended by deleting such section in its entirety and by substituting instead the following:

Section 63-5-108. (a) Any person is deemed to be practicing dentistry, who evaluates, diagnoses, prevents and/or treats (nonsurgical, surgical or related procedures) diseases and/or conditions of the oral cavity, maxillofacial area and/or the adjacent and associated structures and their impact on the human body, all within the scope of his education, training, experience and applicable law. This includes, but is not limited to, any person who:

(1) Diagnoses, prescribes for or treats any disease, pain, deformity, deficiency, injury or physical condition of the human teeth, jaws, maxillofacial area and/or adjacent and associated structures. Oral and maxillofacial surgeons must have adequate training and appropriate hospital privileges for specified procedures to perform soft tissue facial cosmetic surgical procedures not performed in conjunction with, or incident to, dental treatment or oral and

maxillofacial surgery. Such diagnosis and treatment may include the use of a complete or limited physical evaluation of patients by a board eligible or board-certified oral and maxillofacial surgeon or a resident in an approved oral and maxillofacial surgery program, so long as such oral and maxillofacial surgeon or resident is practicing in a hospital setting;

(2) Extracts human teeth;

(3) Repairs or fills cavities in human teeth;

(4) Corrects malformations of the human teeth, jaws, oral cavity or maxillofacial area and/or the adjacent and associated structures;

(5) Performs any oral and maxillofacial surgery;

(6) Takes an impression of the human tooth, teeth or jaws, leading to the fabrication of a model upon which will be constructed a replacement of natural teeth by artificial substitutes;

(7) Furnishes, supplies, constructs, alters, reproduces or repairs any prosthetic denture, bridge, crown, appliance or any other structure to be used or worn in the human mouth as substitute for natural teeth, except on the written work order of a licensed and registered dentist;

(8) Places or adjusts such appliance in the human mouth;

(9) Delivers the same to any person other than the licensed and registered dentist upon whose written work order the work was performed;

(10) Offers to the public, by any method, to furnish, supply, construct, reproduce, reline, repair or otherwise process any prosthetic denture, bridge, appliance or other structure to be worn in the human mouth;

(11) Gives interpretations of dental radiographs:

(12) Administers an anesthetic, except for a topical anesthetic in connection with a dental operation;

(13) Uses the words, "Dentist," "Dental Surgeon," "Oral Surgeon," or "Oral and Maxillofacial Surgeon," or the letters "D.D.S.," "D.M.D.," or any other words, letters, title or descriptive matter which, in any way, represents him as being able to evaluate, diagnose, prevent and/or treat (nonsurgical, surgical or related procedures) diseases, disorders and/or conditions of the oral cavity, maxillofacial area and/or the adjacent and associated structures and their impact on the human body;

(14) States, or permits to be stated by any means or method whatsoever that he can, or will, attempt to perform dental operations or services, or to evaluate, prescribe or render diagnosis in connection therewith; or

(15) Is the owner, manager or operator of a place where dental operations or dental services are performed; either gratuitously or for a salary, fee, money or other remuneration, paid or to be paid, directly to him or to any person or agency.

SECTION 2. Tennessee Code Annotated, Section 63-5-112, is amended by deleting such section in its entirety and by substituting instead the following:

Section 63-5-112. No licensed dentist shall hold himself out to the public as a specialist, or being specially qualified in any particular branch of dentistry, or as giving special attention to any branch of dentistry, or limiting his practice to any branch of dentistry, until he has complied with the additional requirements established by the board, and has been issued a certificate by the board authorizing him to do so. The board is authorized to certify "specialists" in the following branches of dentistry:

(1) Oral and Maxillofacial Surgery - that specialty branch of dentistry which includes the diagnosis, surgical and adjunctive treatment of diseases, injuries and defects involving both the functional and esthetic aspects of the hard and soft tissues of the oral and maxillofacial regions;

(2) Orthodontics and Dentofacial Orthopedics - that specialty branch of dentistry concerned with the supervision, guidance, and correction of the growing, or mature dentofacial structures, including those conditions that require movement of teeth or correction of malrelationships and malformations of their related structures and the adjustment of relationships between and among teeth and facial bones by the application of forces and/or the stimulation and redirection of functional forces within the craniofacial complex. Major responsibilities of orthodontic and dental orthopedic practice include the diagnosis, prevention, interception and treatment of all forms of malocclusions of the teeth and associated alterations in their surrounding structures; the design, application, and control of functional and corrective appliances, and the guidance of the dentitions and its supporting structure to attain and maintain optimal occlusal relations in physiologic and esthetic harmony among facial and cranial structures;

(3) Periodontics - that specialty branch of dentistry which deals with the diagnosis and treatment of disease of the supporting and surrounding tissue of the teeth. The maintenance of the health of these structures and tissues, achieved through periodontal treatment procedures, is also considered to be a responsibility of a periodontist;

(4) Prosthodontics - that specialty branch of dentistry pertaining to the restoration and maintenance of oral function, comfort, appearance and health of a patient by the restoration of the natural teeth and/or the replacement of missing teeth and contiguous oral maxillofacial tissues with artificial substitutes. The following constitute branches of Prosthodontics:

(A) Removable Prosthodontics is that branch of prosthodontics concerned with the replacement of teeth and contiguous structures for

edentulous or partially edentulous patients by artificial substitutes that are removable from the mouth.

(B) Fixed Prosthodontics is that branch of prosthodontics concerned with the replacement and/or restoration of teeth by artificial substitutes that are not removable from the mouth.

(C) Maxillofacial Prosthetics is that branch of prosthodontics concerned with the restoration and/or replacement of stomatognathic and associated facial structures by artificial substitutes that may or may not be removable;

(5) Pediatric Dentistry - that specialty branch of dentistry associated with the practice and teaching of comprehensive preventive and therapeutic oral health care of children from birth through adolescence. It shall be construed to include care for special patients beyond the age of adolescence who demonstrate mental, physical and/or emotional problems;

(6) Endodontics - that specialty branch of dentistry which deals with the morphology, physiology and pathology of the human dental pulp and periradicular tissues. Its study and practice encompasses the basic and clinical sciences, including biology of the normal pulp, the etiology, diagnosis, prevention and treatment of diseases and injuries of the pulp and associated periradicular conditions;

(7) Oral and Maxillofacial Pathology - that specialty branch of dentistry which deals with the nature of the diseases affecting the oral and adjacent regions, through study of its causes, its processes and its effects, together with the associated alternations of oral structure and function. The practice of oral pathology shall include development and application of this knowledge through the use of clinical, microscopic, radiographic, biochemical or other such laboratory examinations or procedures as may be required to established a diagnosis and/or gain other information necessary to

maintain the health of the patient, or to correct the result of structural or functional changes produced by alternations from the normal;

(8) Dental Public Health - that specialty branch of dentistry which deals with the science and art of preventing and controlling dental diseases and promoting dental health through organized community efforts. It is that form of dental practice which serves the community as a patient rather than the individual. It is concerned with the dental health education of the public, with applied dental research, and with the administration of group dental care programs, as well as the prevention and control of dental diseases on a community basis; and

(9) Any other branch of dentistry hereafter recognized and approved by the board.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.